

Hofstra Law School Graduation Speech
May 21, 2006

As I prepared to speak to you today, I thought about my own graduation ceremonies from college and law school and tried to remember what was important to me those two days. Unfortunately, I do not remember who my commencement speakers were and I do not remember what they said. What I remember most starkly is the excitement and joy I felt in finally finishing with my schooling tinged with an underlying anxiety about what the future held for me.

In thinking about what I might say that you would
remember, I thought the best thing might be for me to tell you
what a wonderful profession you have chosen to be a part of and
~~explain how I think~~ ^{that} you can find happiness and fulfillment in it.

I wanted to be a lawyer since I was nine years old and have never regretted my choice. As you have heard, I grew up in a South Bronx housing project. I am the child of first generation immigrant Puerto Ricans to New York City. As I was growing up, none of my cousins in New York had yet graduated from college. I was, however, a child with dreams.

I dreamt first of graduating from college. I was precocious enough to dream even of going to law school. I hoped to become a prosecutor and, I even imagined that someday, maybe, if life was really good to me, I would become a judge. The only kind of judge I knew about then was a criminal court judge because my only exposure to lawyering was from television and back then, Perry Mason was the star TV attorney and he only practiced in state criminal courts.

I have lived my dreams and more incredibly, I have far surpassed them. With the aid of family and friends, I have graduated from both college and law school, attending some of the finest institutions in the land. I have been a prosecutor in the office of one of the finest DA's in the country, Bob Morgenthau. I traveled the world in private practice as an international commercial lawyer.

I did not become a criminal court judge, but I did become a federal district court judge and am now a United States Circuit Court Judge. It is humbling to be a part of one of the greatest courts of our country. Few people can say they have lived their dreams and much more in the way I can.

I loved being a lawyer; I love being a judge. My work constantly stimulates and challenges me. I wake up each morning excited about having a voice in the development of law. I love the law and I love lawyers. I admire our profession for all the good it has and continues to do in the world. The telling example of this point is Brown v. Board of Education, *as case decided the month before I was born. Brown changed my life + that of* Brown struck down the separate but equal doctrine and held out *our entire society* a hope - still not realized, unfortunately, but still fervently aspired to, that we would someday be a completely integrated society. What a momentous case that was.

My presence and the presence of more than half of you in this graduating class - men and women of color and women generally - is a direct result of the Brown legacy. Brown and the civil rights movement, however, are only a small fraction of the incredible good that the work of lawyers and judges has contributed and contributes to this country and the world.

How do you find joy in law and lawyering? Not everyone here will have the opportunity to be a federal judge. I have a simple answer: Live your life in the law with passion, give to others in your work and accept the giving of those who are your mentors by you being a mentor to those in the profession that you befriend.

my receipt for happiness class
Before I go on with my thoughts, they sound like a three

my receipt for happiness - I am
I am going to
part test. Unfortunately, I have now been a circuit court judge

too long. There is a joke that aptly describes the differences

between supreme court, circuit court and district court judging

and why you
are where I
was yesterday
today
It involves three judges who go duck hunting. A duck flies

overhead and the supreme court justice, before he picks up his

shotgun, ponders about the policy implications of shooting the

if he shoots the duck
duck - how will the environment be affected, how will the duck

hunting business be affected if he doesn't shoot the duck, well

by the time he finishes, the duck got away.

Another duck flies overhead, and the circuit court
judge ¹⁰⁰ ~~goes~~ ^{the} through ^{it} his five part test ^{he must undergo before} before pulling the trigger -

^{not} 1) he lifts the shotgun to his shoulder, 3) he sights the duck, 3)
he measures the velocity of the duck's flight, 4) he aims, and 5)
he shoots - and, he misses.

Finally, another duck flies by, the district court judge picks up the shotgun and shoots. The duck lands and the district court judge picks it up, swings it over his shoulder and ^{he tells} decides that ~~he will let~~ ^{they tell} the other two judges explain what he did over dinner.

^{Hepton}
You guys invited me a circuit court judge to talk to

you today ^{in 3 Steps} so you are stuck with me describing what you can

^{to be happy as a lawyer and that if}
do instead of letting you just enjoy your dinner celebration.

If ^{Hepton} you had invited a S. Ct justice, you would
be knowing why it was important to be a lawyer.
If Hepton had invited a district judge, you would
be told to forget the anxiety - just go out &
enjoy being a lawyer.

first
The happiest lawyers I know are the ones who love the art and skill of their profession, have passion about it and who love using the profession to do good. Appreciate and know the limits of the law but do not focus on those limits as defining your meaning as a person or your role in the practice of law. I hear some lawyers say they are unhappy in their work and I wonder why. Unhappiness in work is something you can change.

Instead of accepting unhappiness in your work, I challenge you to focus on how thrilling and stimulating learning how to practice law with skill, dignity and honor can be. Lawyering is an art and skill that requires nurturing and attention. ~~Achieving justice as lawyers requires not only accomplishing a fair result but pursuing justice fairly in every step you take as a lawyer.~~ If you approach your work with passion – viewing it as an opportunity to learn how to practice in a noble way in a noble profession and insisting that those in the profession you befriend and work with practice honorably and with skill and dignity, you will find satisfaction in your work.

More importantly, I believe that you will find joy and ultimate success in your professional lives by maintaining a passion for giving to others in your work and in your life generally - in your paid and pro bono work - to your church, to your family and to other activities in which you both give to society and its betterment and you give of yourself personally to your family, friends and clients.

Some of you will do public interest work and that will provide a do-good venue with built-in satisfaction. Most of you will do private legal work. In all legal work you undertake, however, find a way to help others and pursue what you are doing with excitement. That will provide your vehicle for happiness. I am a great advocate of lawyers doing pro bono work because the act of giving to others, without pay, gives you a richness money can't buy.

In the bustle of living the demands of your profession, you must keep the importance of family and friends and of giving to them in the forefront of your priorities, however. If you treat everyone in your life – your family, your friends, your staff, your co-workers and your clients – with equal concern and respect, they will reciprocate and you will be enriched. It is the quality of your giving to those that you work and live with and those you befriend that will ultimately measure the success of your life and make you happy.

To give successfully, however, requires you to recognize and appreciate how much others have given and give to you. None of you would be here without the support of your family and friends - emotional support unquestionably and, seeing the sign of relief on the faces of many parents in the audience, financial support as well. For some of you, law professors have helped you find your first legal jobs. For others, former or current employers, relatives or friends have helped or are helping you find jobs.

The legal profession, more than many other professions, is founded on mentoring. You learn the skill and art of lawyering from watching and apprenticing under more senior lawyers.

Pick mentors whose values you admire. Senior lawyers advise you and guide you on how to practice law and how to develop your careers. Mentors are often instrumental in helping you

secure jobs. During my first summer of law school, I worked for my now colleague Jose Cabranes, who was then General Counsel of Yale University. Judge Cabranes' recommendation was instrumental in getting me my first post-law school job in the Manhattan DA's office.

I owe my district court judgeship to the inspiration of another mentor, David Botwinik, a Long Island resident who was the managing partner of my firm Pavia and Harcourt while I was there. David walked into my office in January of 1990 and placed on my desk an application to the Judicial Selection Committee of Senator Daniel Patrick Moynihan. For three months, David had been trying to convince me to submit my name to the Senator's Committee. I had resisted, insisting that I had no chance of ever being selected for the most prestigious and respected federal district court in the nation, the mother court, the Southern District of New York.

As was his custom when we disagreed, David simply pulled rank on me and overruled me in my decision not to apply. He took my work away from me for a week and gave me not only my time and my secretary's time, but the time of a paralegal and even his own secretary, so that together we could fill out the very burdensome application forms. David's support of me - his ever-giving mentoring of me - changed the course of my life.

I have given you two examples of the very direct ways mentors have helped me. There are countless, equally important other examples that I do not have the time to tell you about today. I share nevertheless with you the important lesson I have learned from these examples - I could not have succeeded in working at all and less in achieving my success without the help of my mentors. My professional life has been built on their generosity to me. Your success will be measured by the efforts of your mentors in turn. Listen to them, take their counsel and appreciate what they are doing.

Every legal career of any note I know of is built on the teaching and assistance that senior lawyers have given to the growing lawyer throughout his or her career. Young lawyers simply do not survive or develop in our profession without support from other lawyers. As big as the legal profession is, it is impressive how much of a village we really are. We give unstintingly in helping each other.

To ensure your own happiness in the profession, I remind you as you enter the profession to remember that your turn to mentor arises immediately. There are students in your law schools who have not graduated. They will look to you to stay in touch and give them advice on what to do as they graduate. Your classmates will call you seeking guidance on what to do with knotty problems. As you rise in positions of responsibilities within the offices you work, remember that you will be setting the examples for those that follow and just like others opened the doors of opportunity for you, you should be actively seeking out those to help in opening the doors of their opportunity.

Most, if not all bar associations, have mentoring programs. Join those programs - first as recipients and then as servers. All bar associations and all courts, including my own, have pro bono projects you can become involved in. There are countless lawyer volunteer projects in almost every city of the nation. Given your student debt, I know many of you never perceive a time when you will have money to donate to worthy causes, but someday you will. Many of you have probably already received scholarships funded by alumni who mentor in the form of financial aid. Judge Constance Baker Motley's story is emblematic of the importance of such giving.

Judge Constance Baker Motley of the Southern District of New York, a friend who very recently died, was the first African American woman appointed a federal district court judge. Prior to joining the bench, Judge Motley had argued ten desegregation cases before the Supreme Court and won nine. The Supreme Court reversed its decision in the case she lost ^{less than} years later. She was also the first African American Borough President of the Bronx.

Judge Motley's college and law school educations were funded by a New Haven philanthropist, Clarence W. Blakeslee, who had heard Judge Motley speak at a community event a few months after her high school graduation and was impressed by her. So give time and money as you can. You never know when you will be assisting the likes of a future President of the United States. In any event, you will be assisting a person in need. That is an act of kindness and one that will reward you in feelings of goodwill everyday.

When you wake up from your partying tomorrow morning, I know you may not remember me or the speech I have given today. That is perfectly alright. You are deserving of a true celebration tonight - you have worked hard and more than earned it. I hope, however, that someday you will remember that the lady judge who spoke at your graduation told *how wonderful a profession / lawyer is and how great it is* you about being successful as a lawyer. Remember you are ~~entering a wonderful profession~~ enjoy it. You are the architects of your own futures and I wish you the energy and enthusiasm to make your careers happy ones. I extort you to grow rich from personal satisfaction by acquiring the passion to do good in the very noble craft you have chosen. Do it by giving of yourselves to worthy causes and to each other as lawyers.

Thank for giving me the honor of celebrating this day with you.

I wish ~~for all of you~~, a lifetime of happiness and satisfaction. ~~It~~

is at your fingertips today. Enjoy your dinner tonight and don't

let a supreme court justice or circuit court judge-type tell you ^{former}
how you did it or what you yet have to do. Just revel tonight in ^{Follow the lead of what I don't I}
your accomplishments. ^{edge;}